

1882-041 Chancery Causes Martha J. Markrum by & os. Caleb Markrum
Lee Co.

Woodard, Markrum

CA-Divorce
T-Vices

To the Hon. John A. Kelly, Judge of the circuit
Court of Lee County, Virginia;

Humbly complaining ^{Sheweth} unto your honor, your
oratrix, Martha J. Markrum who sues by ^{the} ~~the~~
Woodard her father and next friend she being
an Infant under the age of 21 years, that she is
now 20 years old; at the age of she left
her father's house after having been lawfully
married to Kaleb Markrum, and since that
time has been to him a constant faithful
and dutiful wife.

Her said husband, on the other hand,
has been negligent, excessively intemperate
in drinking ardent spirits, and insup-
portably violent to her, frequently beating
her, until to protect her person from violence,
she has been compelled to fly to her father's
house for protection.

Your oratrix further shows that the said
Kaleb Markrum is guilty of adultery
within the last five years and that
she has not occupied the same chamber
with him since she was convinced
that such was the fact.

Your oratrix further charges that her
said husband Kaleb Markrum has
been regularly indicted for Rape in
the County Court of Lee County, and

that he has been tried, ~~found~~ guilty
by a jury of his Country and Sentenced
to Confinement in the Penitentiary
for Said Crime and that he is now
serving the penalty of the Law in
such cases. A copy of Said Indictment
and the proceedings had thereupon
is here filed Marked "A" and is
prayed to be taken as a part of
this bill.

The premises considered your Oration
prays that the said Kaleb Markrum be
made a party defendant to this bill
and that he be required to answer the
same on oath; that your Oration
be entirely divorced from him and
the Marriage dissolved; And for
general relief.

May Court of Spa Term VC
Ordy for Plff.

Martha J. Markrum by
vs { Bill for Divorce

Naleb Markrum

Exhibit "A" Filed.

1881. Aug. Bill filed for ex. &c.

O. B. N.

" Sept. O. B. N. could not
act for hearing by J. J.

1882. March Decree Final

O. B. N. 232

\$15.00 atty fee

Enter

Wick 27.02

Martha J. Marcum... Plaintiff
against J. L. Chancery
Kalib Marcum Defendant

This cause, came on this day to be heard upon Complainant's Bill and exhibits filed, and was argued by Counsel, and it appearing to the Court that process has been duly executed upon Kalib Marcum, defendant, and he having failed to appear and plead or answer the said Bill, the same is taken for Confessed; Upon consideration of all which the Court is of opinion that the defendant has been convicted of a felony as charged in Complainant's bill, and doth adjudge, Order and decree, that the marriage heretofore solemnized between the plaintiff and the defendant, be, and the same is hereby dissolved, and that the said Kalib Marcum be forever prohibited from Marrying again, and that the plaintiff recover of the defendant the costs of this suit. And nothing further remaining to be done in this cause, it is ordered that the same be ^{Stricken} ~~removed~~ from the docket; ~~that leave~~ is reserved to the parties, to make

Martha J. Marcum

vs Jacobus Simon
In vinculo matrimonii

Kaleb Marcum

Entered Page 232

J. A. Hyatt Clerk

Enter

232

March 30th 1882

Applicant to the Court for a copy
of the record of the case of
Martha J. Marcum vs Jacobus Simon
and Kaleb Marcum
J. A. Hyatt Clerk

Virginia.

At a county court continued and held
for Lee County at the court house thereof
on Friday the 22nd day of July 1881.

The Commonwealth

Plff.

vs

Caleb Marcum

{ Indictment
for rape.

This day came the attorney for the Commonwealth
and the defendant Caleb Marcum was set to
the bar, and being arraigned upon the charge afore
said, saith that he is guilty as in the indictment
against him is alleged, and then came the jury
to wit, John M. Cook, H. R. Stickley, Wm B. Andies, Noah
Peak, Geo. P. Wynn, H. Baylor, Charles Willoughby, Jas.
R. Ely, A. B. Munay, and H. I. Ferguson, James H. Graham
and James M. Stamper, who being selected according
to law, and sworn well and truly to ascertain and
fix the term of imprisonment of the defendant in the
penitentiary of this State upon their oaths do say we the
jury do find the defendant Caleb Marcum guilty
as charged in the Indictment and fix the time of
his imprisonment in the penitentiary of this State
at ten years, and it being demanded of the
prisoner if he had or knew any thing for him
self to say why the Court should not now
proceed to pronounce judgment against him
according to law, and nothing being offered
in delay of judgment it is considered by the

Court, that the defendant be imprisoned in
the Penitentiary of this State for the term of ten
years the period by the Jurors in their verdict
ascertained therein to be kept imprisoned
and treated as the law directs, and it is furth-
er ordered that the Sheriff of this County as soon
as practicable after the adjournment of this Court
do remove and convey the said Caleb ^{on} Maren
from the Jail of this County to the said Penitentiary
therein to be kept and treated as aforesaid,
And the prisoner is remanded to jail.

Attest

Teste John R. Gibson Clerk

The Commonwealth

vs. Copy of Record

Caleb Maren

See for this copy 2047

The Jurors of the Grand Jury of the Commonwealth
of Virginia empanelled and sworn in and for
the body of Lee County in the State of Virginia, at
the June Term of the county Court of said County
commencing on Tuesday the 21st day of June in the
year of Christ 1881, upon their oaths present Caleb
Marcum, on the 10th day of May 1881 in the said
County of Lee and within the Jurisdiction of said
Court, in and upon one one Sarah Saunders a
female person over the age of 12 years. then and
there being, violently and feloniously did make an
assault and her the said Sarah Saunders then and
there violently, by force, and against her will
feloniously, did ravish and carnally know aga
inst the peace and dignity of the Commonwealth,
Presented upon the information

witnesses

called on by the Court sworn in Court and sent to
Grand Jury to give evidence.

Attest,

Leet. John P. Gibson clerk

We the jury find the defendant Leakeh Marcus
guilty as charged in the Indictment and fix the
of his imprisonment in the penitentiary of this State
at ten years

H. J. Ferguson
one of the Jury.

See for this copy 208

The Commonwealth
vs
Leakeh Marcus
Copy of Indictment

The Commonwealth of Virginia.

To The Sheriff of Lee County, Greeting:

We command you to summon

Caleb Markrum

To appear at the Clerk's Office of the Circuit Court of Lee county, at the Court House, on the first Monday in *August*
next, being rule, to answer a bill in Chancery, exhibited in our said Court against *him* by

*Martha J. Markrum, who sues by her
Father & next friends William Woodard*

J. A. Hyatt

And have then there this writ. Witness JAMES W. Orr, Clerk of our said Court, at the Courthouse, this *22nd*
day of *July* 1881, in the 10th year of the Commonwealth.

J. A. Hyatt

Clerk.

Orr

Martha J. Markrum by &c
vs 3 Spa in chy

Caleb Markrum

Aug Rules 1881

Expended by delivering
a copy of the within to
Caleb Markrum
Thos. Ely Lee